

**LEWIS**  
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**ROCA**  
LLP  
LAWYERS

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,<sup>1</sup>

USA SECURITIES, LLC,<sup>2</sup>

Debtors.

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>1</sup>  
Case No. BK-S-06-10729-LBR<sup>2</sup>

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**WITHDRAWAL OF THIRD  
OMNIBUS OBJECTION TO  
PROOFS OF CLAIM BASED UPON  
INVESTMENT IN THE ASHBY  
FINANCIAL COMPANY \$7,200,000  
LOAN AS IT RELATES TO CLAIM  
NO. 10725-01653 OF THE VOSS  
FAMILY TRUST CLAIM ONLY**

Date of Hearing: March 25, 2008

Time of Hearing: 9:30 a.m.

The USACM Liquidating Trust ("USACM Trust") withdraws its Third Omnibus Objection to Proofs of Claim Based, in Whole or in Part, Upon Investment in the Ashby Financial Company \$7,200,000 Loan (the "Ashby Loan") (the "Objection") [DE 5817] as it relates to Proof of Claim No. 10725-01653 filed by the Voss Family Trust. On

<sup>1</sup> This bankruptcy case was closed on October 12, 2007.

<sup>2</sup> This bankruptcy case was closed on December 26, 2007.



1 March 14, 2008, the Voss Family Trust filed a response to the Objection [DE 6006], which  
 2 clarifies that the Voss Family Trust has “been paid back in full” for its investment in the  
 3 Ashby Loan and, therefore, the Voss Family Trust’s claim is not based to any extent upon  
 4 an investment in the Ashby Loan. Accordingly, the USACM Trust will adjust its records  
 5 and withdraw the Objection to the extent it relates to the Voss Family Trust’s Claim.

6 Dated: March 21, 2008.

7 LEWIS AND ROCA LLP

8  
 9 By /s/ Rob Charles (#6593)

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*Attorneys for the USACM Liquidating Trust*

14 COPY of the foregoing served via e-mail this  
 15 21st day of March, 2008 addressed to:

16 Voss Family Trust

Dated 10/4/99

17 Wolf D. and Claudia Voss, Trustees

14 Via Ambra

18 Newport Beach, CA 92657

[cplusalii@cox.net](mailto:cplusalii@cox.net)

20 /s/ Renee L. Creswell

Renee L. Creswell